

**FOURTH DAY**

(Monday, March 22, 1954)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Moore
Ashley	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
McDonald	Willis
Moffett	

**Absent—Excused**

Bell	Weinert
Martin	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**Leaves of Absence**

Senator Bell was granted leave of absence for today on account of important business on motion of Senator McDonald.

Senator Martin was granted leave of absence for today on account of important business on motion of Senator Lock.

Senator Weinert was granted leave of absence for today on account of illness on motion of Senator Moffett.

**Reports of Standing Committee**

Senator Lock submitted the following reports:

Austin, Texas,  
March 22, 1954.

Hon. Ben Ramsey, President of the Senate.

We, your Committee on Finance, to whom was referred S. B. No. 2, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute do pass in lieu thereof, as amended, and be printed.

LOCK, Chairman.

C. S. S. B. No. 2 was read first time.

Austin, Texas,  
March 22, 1954.

Hon. Ben Ramsey, President of the Senate.

We, your Committee on Finance, to whom was referred S. B. No. 3, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

LOCK, Chairman.

**Address by Judge S. J. Isaacks**

Senator Rutherford, by unanimous consent, presented Judge S. J. Isaacks of El Paso, Texas, former Member and Dean of the House of Representatives until his recent retirement, to the Members of the Senate and requested him to address the Senate.

The President Pro Tempore appointed Senators Rutherford, Hardeman and Moffett to escort Judge Isaacks to the President's Rostrum. The President Pro Tempore presented Senator Rutherford and he in turn presented Judge Isaacks to the Senate.

Judge Isaacks addressed the Senate expressing appreciation for being here and thanking the Senate for the honor bestowed on him.

**Senate Resolution 9**

Senator Hardeman offered the following resolution:

Whereas, We are honored today to have in the Gallery a delegation from Brewster County, Texas, in which is situated the Big Bend National Park, and

Whereas, This distinguished delegation is in the City of Austin to obtain the help of the Honorable Allan Shivers, Governor of Texas, to extend an invitation to the President of the United States to participate in the dedicatory exercises of the Big Bend National Park, and

Whereas, Said delegation has presented to the Governor of Texas a commission as honorary Park Ranger of said Big Bend National Park, and

Whereas, It is the desire of the Senate of Texas to officially welcome the Honorable John Gillette, Mayor of Alpine, Mr. Jim Francois, President of the Chamber of Commerce, Alpine, Texas, Dr. Bryan Wildenthal, President of Sul Ross College, Alpine, Texas, Mr. Hugh White, Alpine, Mr. Tom Stovall, Alpine, Mr. Earl Bland, Marathon, Superintendent of Schools, Mr. Tom Yarbrow, County Commissioner, Brewster County, Mr. Bill Hargus, Marathon, and Mr. J. N. Allebrand, Marathon, and to commend them for their interest in these matters. Now, therefore, be it

Resolved, That the Senate of Texas officially recognize and welcome this delegation and that a copy of this resolution be sent to the members of said delegation in recognition of their visit to the Capitol.

The resolution was read and was adopted.

Senator Hardeman, by unanimous consent, presented the delegation to the Members of the Senate.

#### Presentation of Guest

Senator Bracewell, by unanimous consent, presented the Honorable Wright Morrow, Democratic National Committeeman from Texas, to the Members of the Senate.

#### Presentation of Guests

Senator Willis, by unanimous consent, presented the Sixth and Seventh Grade Classes of the Benbrook Elementary School of Benbrook, Texas, to the Members of the Senate.

#### Resolutions Signed

The President Pro Tempore signed in the presence of the Senate, after the captions had been read, the following enrolled resolutions:

H. C. R. No. 2, In memory of Honorable Frank Svadlenak.

H. C. R. No. 7, Permitting the House and Senate to adjourn from March 17, 1954, until March 22, 1954.

S. C. R. No. 4, In memory of Mark McGee.

#### Senate Bill 1 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 1, A bill to be entitled "An Act amending Article IV of Senate Bill 116, Chapter 334, Acts of 51st Legislature, by adding a new section thereto to be designated as Section 1-a; amending Article V of Senate Bill 116, supra, as amended by Senate Bill 90, Chapter 198, Acts of 52nd Legislature and as amended by House Bill 367, Chapter 241, Acts of 53rd Legislature, by adding a new section to be designated as Section 1-a; amending Section 4 of Article V of Senate Bill 116, supra; amending Sections 2 and 4 of Article VI of Senate Bill 116, Acts of 51st Legislature, supra; providing a saving or severability clause; and declaring an emergency." (Teachers Salary Increase)

The bill was read second time.

Senator Aikin offered the following Committee Amendment to the bill:

Amend S. B. No. 1 by striking out Section 5, and in lieu thereof, insert the following:

Section 5. Section 4 of Article VI, Acts of 51st Legislature, Regular Session, 1949, Chapter 334, be and the same is hereby amended to read hereafter as follows:

"Section 4. The State Commissioner of Education shall calculate and determine the total sum of local funds that the school districts of a county shall be assigned to contribute toward the total cost of the Foundation School Fund for the school year 1954-1955 by multiplying Fifty-one Million Six Hundred Thousand (\$51,600,000) Dollars by the Economic Index determined for each county; provided, however, that for the 1954-1955 school year, Forty-five Million (\$45,000,000) Dollars only of the said Fifty-one Million Six Hundred Thousand (\$51,600,000) Dollars shall be distributed in compliance with the provisions of the second paragraph of Section 3 of Article VI of Senate Bill 116, Acts of 51st Legislature as amended in Senate Bill 163, Chapter 174, 53rd Legislature, the remaining Six Million Six Hundred Thousand (\$6,600,000) Dollars shall be distributed without imposing the ten (10%) per cent limitations provided in said Section 3 of Ar-

ticle VI, the legislative intent being to allow for the 1954-1955 year the ten (10%) per cent limitation but the same to be restricted or applicable only to Forty-five Million (\$45,000,000) Dollars.

Provided, further, that for the school year beginning 1955-56 and each school year thereafter, the State Commissioner of Education shall calculate and determine the total sum of local funds that the school districts of a county shall be assigned to contribute toward the total cost of the Foundation School Program by multiplying Twenty (20%) per cent of the estimated Foundation Program cost for the immediate preceding school year, as determined under the provisions of this Act, by the Economic Index determined for each county. The product shall be regarded as the local funds available in each respective county toward the support of the Foundation School Program and shall be used in calculating the portion of said amount which shall be assigned to each school district in the county."

The amendment was read.

Senator Aikin offered the following amendment to the Committee Amendment:

Amend Committee Amendment No. 1 of Senate Bill No. 1 by inserting after the word "year" in line 34 of the printed amendment the following:

"... after reducing said total cost by One Hundred (\$100) Dollars per approved professional unit,"

The amendment to the Committee Amendment was adopted.

The Committee Amendment, as amended, was then adopted.

On motion of Senator Aikin, and by unanimous consent, the captain was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to engrossment.

#### Senate Bill 1 on Third Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 1 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moffett
Ashley	Moore
Bracewell	Parkhouse
Colson	Phillips
Corbin	Rogers
Fuller	of Childrens
Hardeman	Rogers of Travis
Hazlewood	Russell
Kazen	Rutherford
Kelley,	Sadler
Lane	Secret
Latimer	Strauss
Lock	Wagonmiller
McDonald	Willis

Nays—1

Shireman

Absent—Excused

Bell  
Martin

Weinert

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Moffett
Ashley	Moore
Bracewell	Parkhouse
Colson	Phillips
Corbin	Rogers
Fuller	of Childrens
Hardeman	Rogers of Travis
Hazlewood	Russell
Kazen	Rutherford
Kelley	Sadler
Lane	Secret
Latimer	Strauss
Lock	Wagonmiller
McDonald	Willis

Nays—1

Shireman

Absent—Excused

Bell  
Martin

Weinert

#### Reason for Vote

I voted against Senate Bill No. 1 providing for an increase in the minimum salaries of school teachers of \$402.00, being the compromise proposal worked out by a joint committee appointed by the Governor and the Texas State Teachers' Associa-

tion, because I felt that this legislation should not have been passed by the Senate until a tax bill had been voted out of the House and was in the Senate. This legislation will require an additional appropriation of at least twenty-three and one-half million dollars and until new sources of revenue have been created to make such funds available, the passage of this bill is tantamount to writing a hot check to the teachers of Texas.

I was a party to such procedure in the Regular Session and I made up my mind that never again would I be guilty of such an offense. Had there been a tax bill in the Senate at the time I cast my vote, I would have voted for the school teachers' bill. I will vote for a tax bill to pay the increase in the salaries of the school teachers provided for in Senate Bill No. 1 if and when such tax bill is before the Senate for consideration. I, of course, may attempt to amend

the provisions of such tax bill to provide other and different sources of revenue from those contained therein but I am ready to vote for some form of tax bill which will make the funds available to pay this increase in the teachers' salaries.

WM. H. "BILL" SHIREMAN.

#### **Presentations of Guests**

Senator McDonald, by unanimous consent, presented as guests of the Senate today students of the Civics Classes of the Harmony and New Diana Schools of Upsher County with their teachers, Mr. Gordon E. Irons and Mr. C. L. Thomas.

#### **Adjournment**

On motion of Senator Lane, the Senate at 11:18 o'clock a. m. adjourned until 10:30 o'clock a. m. tomorrow.

**In Memory of**  
**Honorable George B. Butler**

Senator Aikin offered the following resolution:

(Senate Resolution 8)

Whereas, On September 28, 1953, the State of Texas suffered a grave loss in the untimely death of George B. Butler, Life Insurance Commissioner and Chairman of the Board of Insurance Commissioners; and

Whereas, George B. Butler was the son of Dr. George B. Butler, a distinguished Baptist minister, and Susie Peale Butler, a gracious, devoted mother recognized throughout Texas for sincere, loyal service to her family and her state, both of whom preceded him in death; and

Whereas, George B. Butler was a devout member of the Baptist Church, a lawyer and a Democrat; he was a member of the Forty-third and Forty-fourth Legislatures of Texas from Bryan in Brazos County, from which he was selected Executive Director of the Texas Telephone Association. In World War II he served his country as Regional Director of the War Production Board for several southwestern states; and

Whereas, It was while serving in the latter capacity that Governor Coke Stevenson appointed him, in 1945, Life Insurance Commissioner and Chairman of the Board of Insurance Commissioners, a branch of the state government he directed so tirelessly and faithfully and with such exceptional loyalty that he was further honored in 1951 when Governor Shivers reappointed him to serve another six-year term in that office; and

Whereas, George B. Butler was prominent in the affairs of the National Association of Insurance Commissioners from the very beginning of his tenure of office, having been elected Chairman of Zone 5 the first year he was Commissioner for a two-year term and by acclamation was selected to serve another term as Zone Chairman. He was a member of the Executive Committee of the National Association; was its Vice President and in line for its Presidency at the time of his death; and

Whereas, He was a member of the Board of Teachers Retirement System of Texas and was ceaselessly active in National, State and local enterprises in the interest of good government; and

Whereas, He is survived by his wife, Mrs. Imogene Stuart Butler of Texarkana, Texas, and his sister, Mrs. Richard M. Hamberlin of Monroe, Louisiana; now, therefore, be it

Resolved By the Senate of the Fifty-third Legislature, That the sincere sympathy of the Senate be extended to the members of his family and that a copy of this resolution shall be sent to each of them, and that when the Senate adjourns today it shall do so in tribute to a distinguished son of Texas.

AIKIN  
MOORE

Signed—Ben Ramsey, Lieutenant Governor; Ashley, Bell, Bracewell, Colson, Corbin, Fuller, Hardeman, Hazlewood, Kazen, Kelley, Lane, Latimer, Lock, Martin, McDonald, Moffett, Parkhouse, Phillips, Rogers of Travis, Rogers of Childress, Russell, Rutherford, Sadler, Secrest, Shireman, Strauss, Wagonseller, Weinert, Willis.

The resolution was read.

On motion of Senator Wagonseller, the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was adopted by a rising vote of the Senate.